

Document 3

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

DARRYL ORRIN BAKER,
Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,
Defendants.

Civil Action No. 05-146 (E)

DECLARATION OF WILLIAM E. BAUMGARTEL

I, William E. Baumgartel, make the following declaration under penalty of perjury:

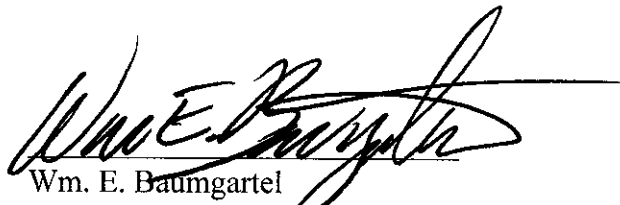
1. I am a Paralegal Specialist employed by the United States Department of Justice, Federal Bureau of Prisons, United States Penitentiary (USP), Lewisburg, Pennsylvania. I have been employed in this capacity since approximately November 2002

2. As a Paralegal Specialist, I have access to most records maintained in the ordinary course of business at USP Lewisburg, including records maintained in inmate Central Files for inmates incarcerated at USP Lewisburg.

3. Attached hereto, please find a true and correct copy of the Administrative Detention Order dated February 29, 2004, for inmate Darryl Orrin Baker, Register Number 19613-039, which is maintained in the ordinary course of business at USP Lewisburg.

I declare the foregoing is true and correct to the best of my knowledge and belief, and is given under penalty of perjury pursuant to 28 U.S.C. § 1746.

Executed this 14 day of December, 2005.


Wm. E. Baumgartel
Paralegal Specialist
United States Penitentiary
Lewisburg, Pennsylvania

Document 3a

ADMINISTRATIVE DETENTION ORDERU.S. DEPARTMENT OF JUSTICEFEDERAL BUREAU OF PRISONSFCI MCKEAN, PENNSYLVANIAInstitutionDate/Time: 2-29-04 9:50 AM

TO : Special Housing Unit Officer

FROM : D. BAILEY, LIEUTENANT (Name/Title)SUBJECT : Placement of BAKER, DARRYL (A-A) , Reg. No. 19613-039 Administrative Detention

- ☐ (a) Is pending a hearing for a violation of Bureau regulations;
☒ (b) **Is pending investigation of a violation of Bureau regulations;**
☐ (c) Is pending investigation or trial for a criminal act;
☐ (d) Is to be admitted to Administrative Detention

(1) Since the inmate has requested admission for protection;

I hereby request placement in Administrative Detention for my own protection.

Inmate Signature/Register No.: _____

Staff Witness Printed Name Signature: _____

(2) Since a serious threat exists to individual's safety as perceived by staff, although person has not requested admission; referral of the necessary information will be forwarded to the UDC/DHO for appropriate hearing.

☐ (e) Is pending transfer or is in holdover status during transfer.

☐ (f) Is pending classification; or

☐ (g) Is terminating confinement in Disciplinary Segregation and has been ordered into Administrative Detention by the Warden's designee.

It is this officer's decision based on all the circumstances that the above named inmate's continued presence in the general population poses a serious threat to life, property, self, staff, other inmates, or to the security or orderly running of the institution because*

YOU HAVE BEEN PLACED IN ADMINISTRATIVE DETENTION PENDING AN INVESTIGATION INTO YOUR INVOLVEMENT IN A PHYSICAL ALTERCATION. CONDUCT OF THIS NATURE SERIOUSLY RISKS THE SECURITY OF A CORRECTIONAL INSTITUTION AND WILL NOT BE TOLERATED.

Therefore, the above named inmate is to be placed in Administrative Detention until further notice. The inmate received a copy of this Order on (date / time) 2-29-2004 9:55 AM

Staff Witness Signature/Printed Name L. MOORE, ACT. LT. / [Signature]

*In the case of DHO action, reference to that order is sufficient. In other cases, the officer will make an independent review and decision, which is documented here.

Record Copy - Inmate Concerned (not necessary if placement is a result of holdover status); Copy - Captain;

Copy - Unit Manager; Copy - Operation Supervisor - Administrative Detention Unit; Copy - Central File

(This form may be replicated via WP)

Replaces BP-308(52) of JAN 88